


From: **Ken Klippenstein** kenneth.klippenstein@gmail.com   
Subject: FOIA request re Talia Lavin  
Date: August 16, 2019 at 11:46 PM  
To: ICE-FOIA@dhs.gov  
Cc: Talia tinuviel8994@gmail.com, Beth Bourdon bbourdon@me.com, Noelle Llamas noelleraellamas@gmail.com

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Kenneth Klippenstein  
[kenneth.klippenstein@gmail.com](mailto:kenneth.klippenstein@gmail.com)  
360 W Washington Ave Unit 1114  
Madison, WI 53703  
(202) 510-1268

Talia Lavin  
[tinuviel8994@gmail.com](mailto:tinuviel8994@gmail.com)  
285 Riverside Drive, Apartment 3A  
New York, NY 10025  
(201) 927-7280

Noelle Llamas  
[noelleraellamas@gmail.com](mailto:noelleraellamas@gmail.com)  
32333 Okaloosa Trail  
Sorrento, FL 32776  
(407) 454-4984

Dear Custodian of Records:

This email constitutes a request under the Freedom of Information Act (FOIA), 5 U.S.C. § 552 and the Privacy Act (PA), 5 U.S.C. § 552a. We hereby request any and all “documents” (defined in more detail below), including but not limited to emails, text messages (SMS, Skype messages, Outlook messages, memoranda, and any other correspondence about or concerning a series of tweets posted to the official Immigration and Customs Enforcement (ICE) on June 18, 2018. ICE posted four tweets to its Twitter account @ICEgov regarding an ICE computer forensic analyst named Justin Gaertner. One of the tweets included an official ICE statement entitled, “ICE STATEMENT REGARDING ERRONEOUS ATTACKS ON ICE EMPLOYEE FOR MILITARY TATTOO.” The tweet mentions then-New Yorker fact checker and representative of the news media, Talia Lavin, by name in a manner extremely unusual for an official federal government account.

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Disclosure of the requested information to me is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the federal government (i.e., why ICE publicly mentioned a representative of the news, Ms. Lavin media by name in a series of tweets) and is not primarily in our commercial interest. Ken Klippenstein, a career investigative reporter with The Young Turks news network, possesses both the ability and intent to disseminate the requested records to a large segment of the American public; he therefore respectfully requests a full waiver of fees

“Documents” as used herein shall include: A. Any paper or writing of any kind, including but not

**EXHIBIT A**

Documents as used herein shall include: A. Any paper or writing of any kind, including but not limited to: a report; study; analysis; memorandum; letter; e-mail; telegram; calendar or diary; minutes; pamphlet; notes; chart; audio or other recording tabulation; press release; published book, article, treatise or paper; photograph; recording of minutes, conferences and telephone or other communications; B. Any draft of any document as "document" is defined in paragraph I(A), supra; C. Any version, copy or draft of any document defined in paragraph A, supra, which contains any alterations, notes, comments or other material not included in the original of said document; D. Any database and all output, either in printed or in machine-readable form, or any computerized data recording, storage, analysis and retrieval system (e.g. tapes, disks, diskettes, punch cards, microfilm, printouts), as well as all written information necessary to understand and use such database or output; and E. Any electronic files, data generated by and/or stored on computer systems and storage media (for example, hard disks, portable storage, backup tapes), or any other electronic/magnetic data. Such electronic files or other data include, without limitation: email, web-based email, databases, calendars; telephone or facsimile logs; contact manager informational internet usage files; offline or on removable media (such as CDs, DVDs, and thumb drives); network usage and access logs; voicemail data; data stored on personal digital assistants ("PDAs"); security camera or surveillance tapes; audio recordings; videotapes; call lists; emails; or text/SMS messages stored on Blackberry devices or cell phones; internet pages or sites.

Should you have any questions or concerns, please do not hesitate to contact us at 202-510-1268. Thank you for your consideration of this request.

Sincerely,

Kenneth Klippenstein  
Talia Lavin  
Noelle Llamas

*Freedom of Information Act Office*

U.S. Department of Homeland Security  
500 12<sup>th</sup> St SW, Stop 5009  
Washington, DC 20536



**AFFIRMATION/DECLARATION**

This is to affirm that

I, Talia Lavin,  
(PRINT FULL NAME)

request access to records maintained by the Immigration and Customs  
Enforcement which pertain to me. My present address is:  
285 Riverside Drive Apartment 3A, New York, New York, 10025

my date of birth is: September 4, 1989, and

my place of birth was: New York, New York.

I understand that any knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine of up to \$5,000. I also understand that any applicable fees must be paid by me.

I hereby authorize Noelle Llamas access to my records.  
(PRINT FULL NAME)

I request that any located and disclosable records be forwarded to the following individual:

Noelle Llamas at the following address:  
(PRINT FULL NAME)  
32333 Okaloosa Trail Sorrento, FL 32776

I hereby declare or certify under penalty of perjury that the foregoing is true and correct.

Executed on August 12, 2019  
(DATE)

Talia Lavin  
(SIGNATURE OF AFFIRMANT/DECLARANT).

PLEASE RETURN TO: U.S. Department of Homeland Security  
Immigration and Customs Enforcement  
500 12<sup>th</sup> Street, SW, Stop 5009, Washington, DC 20536-5009  
Via Facsimile: 202-732-4265;  
Via email: [ice-foia@dhs.gov](mailto:ice-foia@dhs.gov)

**From:** Ken Klippenstein kenneth.klippenstein@gmail.com   
**Subject:** Fwd: FOIA request re Talia Lavin  
**Date:** October 7, 2019 at 12:16 AM  
**To:** beth Bourdon bbourdon@me.com

---

**ICE-FOIA**

August 29, 2019 at 9:29 AM

RE: FOIA request re Talia Lavin

To: Ken Klippenstein



Good afternoon,

You have directed a FOIA request to U.S. Immigration and Customs Enforcement (ICE) seeking either (1) copies of an individual's alien file, or (2) copies of certain documents or other information that is maintained in an individual's alien file. "Alien files" are maintained by U.S. Citizenship and Immigration Services (USCIS). Accordingly, ICE is routing your FOIA request to USCIS. Upon receipt of your FOIA request, USCIS will provide you with a tracking number and respond direct your request.

If you have any questions regarding your request, please contact USCIS at the address below:

U.S. Citizenship and Immigration Services  
National Records Center, FOIA/PA Office  
P.O. Box 648010  
Lee's Summit, MO 64064-8010  
Phone: (800) 375-5283  
Fax: (816) 350-5785  
Email: [USCIS.FOIA@uscis.dhs.gov](mailto:USCIS.FOIA@uscis.dhs.gov)

Sincerely,

ICE FOIA Office  
Immigration and Customs Enforcement  
Freedom of Information Act Office  
500 12th Street, S.W., Stop 5009  
Washington, D.C. 20536-5009

Begin forwarded message:

**From:** ICE-FOIA <[ICE-FOIA@ice.dhs.gov](mailto:ICE-FOIA@ice.dhs.gov)>  
**Subject:** RE: FOIA request re Talia Lavin  
**Date:** August 29, 2019 at 9:28:58 AM CDT  
**To:** Ken Klippenstein <[kenneth.klippenstein@gmail.com](mailto:kenneth.klippenstein@gmail.com)>

Good afternoon,

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**EXHIBIT B**

Fax: (816) 350-5785  
Email: [USCIS.FOIA@uscis.dhs.gov](mailto:USCIS.FOIA@uscis.dhs.gov)

Sincerely,

ICE FOIA Office  
Immigration and Customs Enforcement  
Freedom of Information Act Office  
500 12th Street, S.W., Stop 5009  
Washington, D.C. 20536-5009

---

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**To:** [ICE-FOIA@dhs.gov](mailto:ICE-FOIA@dhs.gov)  
**Cc:** Talia <[tinuviel8994@gmail.com](mailto:tinuviel8994@gmail.com)>; Beth Bourdon <[bbourdon@me.com](mailto:bbourdon@me.com)>; Noelle Llamas <[noelleraellamas@gmail.com](mailto:noelleraellamas@gmail.com)>  
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Sincerely,

Kenneth Klippenstein  
Talia Lavin  
Noelle Llamas

**From:** Ken Klippenstein [kenneth.klippenstein@gmail.com](mailto:kenneth.klippenstein@gmail.com)  
**Subject:** Re: FOIA request re Talia Lavin  
**Date:** September 17, 2019 at 5:02 PM  
**To:** ICE-FOIA [ICE-FOIA@ice.dhs.gov](mailto:ICE-FOIA@ice.dhs.gov)  
**Cc:** beth Bourdon [bbourdon@me.com](mailto:bbourdon@me.com), Talia [tinuviel8994@gmail.com](mailto:tinuviel8994@gmail.com), noelle Llamas [noelleraellamas@gmail.com](mailto:noelleraellamas@gmail.com)

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Good afternoon,

The aforementioned request does not concern an individual's alien file or information pertaining to it. I would greatly appreciate it if you could process my original request within the statutory timeframe. If you have any questions or require further clarification, please do not hesitate to call me at my personal cellphone number listed below.

Respectfully,  
Ken Klippenstein  
c: 202-510-1268

On Aug 29, 2019, at 9:28 AM, ICE-FOIA <[ICE-FOIA@ice.dhs.gov](mailto:ICE-FOIA@ice.dhs.gov)> wrote:

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**EXHIBIT C**



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[kenneth.klippenstein@gmail.com](mailto:kenneth.klippenstein@gmail.com)  
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